

THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \*

KATHRYN NIEMEYER,  
Plaintiff,

vs.

FORD MOTOR COMPANY,  
Defendant.

2:09-cv-2091-JCM-PAL

MINUTES OF THE COURT

DATED: November 7, 2012

THE HONORABLE JAMES C. MAHAN UNITED STATES DISTRICT JUDGE

DEPUTY CLERK DAVID OAKES COURT REPORTER JOY GARNER

COUNSEL FOR PLAINTIFF: Bradley Kuhlman, Daniel Ryan

COUNSEL FOR DEFENDANT: Daniel Rodman, Jay Schutttert, Joshua Cools

MINUTES OF PROCEEDINGS: **Jury Trial Day Eight**

The Court convened at 9:10 a.m., outside the presence of the jury to discuss jury instructions.

Court reconvened at 9:25 a.m., in the presence of the jury. Parties stipulated to their presence.

**ELIZABETH RAPHAEL, M.D.**, is called to the stand, sworn and testified on direct examination by Mr. Rodman, *defendants' exhibits #830, 831 are marked and admitted into evidence.*

Court recessed at 10:25 a.m. Jury was admonished and excused.

Court reconvened at 10:45 a.m. Parties stipulated to their presence.

**ELIZABETH RAPHAEL, M.D.**, having previously been sworn, resumed the stand and testified further on direct examination by Mr. Rodman, cross examination by Mr. Kuhlman, *defendants' exhibits #653 -1 through 7 are marked and admitted into evidence*, re-direct examination by Mr. Rodman, re-cross examination by Mr. Kuhlman, then is excused.

**DEFENDANTS RESTS:**

*Plaintiffs' published to the jury exhibits #314 and #315.*

Court recessed for lunch at 11:50 a.m. Jury was admonished and excused.

Court reconvened at 1:40 p.m., outside the presence of the jury.

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**Jury Trial Day (8)**

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**Court denied defendants' rule 50(a) motion for judgment as a matter of law without prejudice.**

Court recessed at 1:45 p.m.

Court reconvened at 1:50 p.m., outside the presence of the jury to finalize jury instructions.

Both parties stipulated to the jury instructions and verdict form that will be given in open court.

Court recessed at 1:55 p.m.

Court reconvened at 2:00 p.m., in the presence of the jury. Parties stipulated to their presence.

Jury instructions are read to the jurors.

Closing arguments are made by Mr. Kuhlman on behalf of the plaintiff from 2:20 p.m., to 2:50 p.m.

Closing arguments are made by Mr. Rodman on behalf of the defendant from 2:55 p.m., to 3:25 p.m.

Rebuttal arguments are made by Mr. Kuhlman on behalf of the plaintiff from 3:30 p.m. to 3:40 p.m.

Clerk was directed to administer the oath to the bailiff.

Jury was sent to deliberate at 3:50 p.m.

Jury notified the court that it had reached a verdict.

Court reconvened at 4:40 p.m., in the presence of the jury. Parties stipulated to their presence.

The court directed the clerk to read the verdict in open court. **(See verdict form).**

The court directed defendants' counsel to file a judgment within **10 days** from today's date.

Court adjourned at 4:45 p.m.

**LANCE S. WILSON, CLERK  
U.S. DISTRICT COURT**

BY:                     /S/                      
David Oakes, Deputy Clerk